

Law Enforcement Officers Safety Act (LEOSA) Photographic Identification
Card Fact Sheet
Diplomatic Security Service (DSS)

If you are retiring, retired, separating, or separated from the Diplomatic Security Service (DSS) as a law enforcement officer, you may be eligible to obtain a LEOSA photographic identification card.

Retired Special Agent credentials satisfy the photographic identification requirement of LEOSA when carried along with a current proof of annual state firearms qualification. A DSS LEOSA photographic identification card is, however, available to those retired special agents who would prefer one.

What is LEOSA?

The Law Enforcement Officers Safety Act of 2004 (LEOSA), as amended and codified at 18 U.S.C. § 926C, exempts a “qualified retired law enforcement officer” carrying a LEOSA photographic identification card from most state and local laws prohibiting the carriage of concealed firearms, subject to certain restrictions and exceptions.

LEOSA defines “qualified retired law enforcement officer” as “an individual who . . . separated from service in good standing from service with a public agency as a law enforcement officer” and who meets all additional LEOSA criteria. (See below: “Who is a Qualified Retired Law Enforcement Officer?”)

Although LEOSA preempts most state and local laws, it does not supersede or limit state laws that “permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property,” such as bars, private clubs, amusement parks, etc., or “prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.”

Individuals should verify the laws within their state to ensure compliance. Additionally, individuals must obey all federal laws and regulations, including those that restrict carrying concealed firearms in certain federal buildings and on federal lands, as well as those prohibiting the carriage of firearms on commercial aircraft.

To lawfully carry a concealed firearm under LEOSA, qualified retired law enforcement officers from DSS:

- a. Must have their LEOSA photographic identification card and their current annual state firearms test certification in their possession at all times when carrying a concealed firearm under LEOSA authority.

- b. Must remain in compliance with all other requirements of LEOSA related to suitability as a “qualified retired law enforcement officer” who “is not prohibited by Federal law from receiving a firearm.”
- c. Must understand that the LEOSA photographic identification card is for the sole purpose of identifying qualified retired law enforcement officers, pursuant to LEOSA.

Neither the LEOSA photographic identification card nor LEOSA:

- 1. Confer law enforcement status;
- 2. Confer arrest authority;
- 3. Authorize a “qualified retired law enforcement officer” to engage in any law enforcement activities or investigations;
- 4. Exempt a “qualified retired law enforcement officer” from federal laws or regulations, including those related to firearms carriage aboard commercial aircraft;
- 5. Limit the laws of any State or local government from prohibiting or restricting “the possession of firearms on any State or local government property, installation, building, base, or park;” or
- 6. Preclude private persons or entities from prohibiting or restricting “the possession of concealed firearms on their property.”

Who is a Qualified Retired Law Enforcement Officer?

A “qualified retired law enforcement officer” is a law enforcement officer who:

- 1. “separated from service in good standing from service with a public agency as a law enforcement officer;” (See below: “Did I Retire or Separate from Service in ‘Good Standing?’”)
- 2. “before such separation, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest . . . ;”
- 3. “before such separation, served as a law enforcement officer for an aggregate of 10 years or more” or “separated from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency”;
- 4. “during the most recent 12-month period, has met, at the expense of the individual, the standards for qualification in firearms training for active law enforcement officers, as determined by the former agency of the individual, the State in which the individual resides or, if the State has not established such standards, either a law enforcement agency within the State in which the individual resides or the standards used by a certified firearms instructor that is qualified to conduct a firearms qualification test for active duty officers within that State;”
- 5. “has not been officially found by a qualified medical professional employed by the agency to be unqualified for reasons relating to mental health;”
- 6. “is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance;” and

7. “is not prohibited by Federal law from receiving a firearm.”

This definition includes individuals who served as a law enforcement officer for a total aggregate of 10 years but then transferred, retired, or separated from their law enforcement position, including those individuals who converted to a non-law enforcement position within DSS or another Federal agency. DSS will only issue LEOSA photographic identification cards to those qualified retired law enforcement officers whose last law enforcement agency of record was DSS. DS/EX/HRM will provide documentation verifying law enforcement service, if required.

If an individual’s aggregate years of service include time with another state, local, or federal law enforcement agency, a letter verifying the individual’s years of service and departure in good standing must be submitted with the application to DSS.

Who is Ineligible Under LEOSA?

Consistent with the provisions of 18 U.S.C. § 922, those individuals prohibited by Federal law from receiving or possessing a firearm and therefore ineligible for LEOSA include, but are not limited to, any person who:

- a. “has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year;”
- b. “is under indictment for a crime punishable by imprisonment for a term exceeding one year;”
- c. “has been convicted in any court of a misdemeanor crime of domestic violence;”
- d. “is a fugitive from justice;”
- e. “is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. § 802));”
- f. “has been adjudicated as a mental defective or who has been committed to a mental institution;”
- g. “has been discharged from the Armed Forces under dishonorable conditions;”
- h. “having been a citizen of the United States, has renounced his [U.S.] citizenship;” or
- i. “is subject to a court order that:”
 1. “was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;”
 2. “restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child;” and
 - (A) “includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child;” or
 - (B) “by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury.

NOTE: Qualified retired law enforcement officers who have been issued a LEOSA photographic identification card by DSS and either now or in the future become ineligible under LEOSA must immediately notify DS_Credentials_Office@state.gov and return their DSS-issued LEOSA photographic identification card to

Domestic Facilities Protection Credential Office, c/o LEOSA
U.S. Department of State, SA-9
2025 E St. NW, Washington, DC 20006

Did I Retire or Separate From Service in “Good Standing”?

Individuals are deemed to have retired or separated from service in “good standing” unless, at the time of retirement or separation, any of the following are applicable (per 12 FAM 372.6-6):

- (1) there was a determination made or action initiated to remove, or propose to remove, the employee from DS;
- (2) the employee’s security clearance was suspended or revoked, or a proposal to suspend or revoke the clearance had been initiated;
- (3) the employee was found to be permanently unfit for duty through a Fitness for Duty Evaluation and had not been returned to duty following that determination;
- (4) there is/was a pending allegation of misconduct against the employee, the investigation of which produced sufficient evidence to support an adverse personnel action; or
- (5) the employee left DS following allegations of misconduct and/or unsatisfactory performance.

In circumstances that do not fall into the criteria above, the PDAS/DSS Director shall have the authority to review the facts relating to the employee's good standing determination and, if the facts so warrant, make a determination that the employee did not retire or separate in “good standing.”

What is a LEOSA Photographic Identification Card?

In accordance with 18 U.S.C. § 926C(d), a DSS-issued LEOSA photographic identification card is a form of photographic identification that evidences the cardholder was employed as a police officer or law enforcement officer with DSS and, at the time of separating from such service, met LEOSA’s statutory requirements. (See above: “Who is a Qualified Retired Law Enforcement Officer?”)

The LEOSA photographic identification card satisfies only the identification requirements under LEOSA. It does not grant nor provide the bearer law enforcement powers or authorities; it does not grant the bearer any authority to act on DSS's or the federal government's behalf; and it does not, by itself, provide the bearer with any authority to carry a firearm. It is the bearer's responsibility to ensure he/she meets all LEOSA criteria specified under the law and is not otherwise prohibited by Federal law from receiving or possessing a firearm." (See above: "Who is Ineligible Under LEOSA?")

Does DSS Provide Annual Firearms Certification Services (e.g., Training) to Retired/Separated Law Enforcement Officers?

No. DSS cannot perform or assist with annual firearms testing certification for retirees or separated from service law enforcement officers. However, the Federal Law Enforcement Training Center (FLETC), under its authority to provide assistance to state, local, rural, and tribal law enforcement departments through the utilization of FLETC firearms training facilities, may do so as their resources allow.

How Do I Request a LEOSA Photographic Identification Card?

Requests for a LEOSA photographic identification card must be made no later than 60 days from retirement or resignation. All requests past 60 days from separation will not be considered.

In order to request a LEOSA photographic identification card, qualified law enforcement officers who have retired or separated from service with DSS must:

1. Obtain, at their own expense, their Federal Bureau of Investigation (FBI) Identity History Summary (*i.e.*, criminal history record). Information on how to obtain this documentation, including current processing times, can be found on the FBI website at: <https://www.fbi.gov/services/cjis/identity-history-summary-checks>. DSS will not collect fingerprints on behalf of applicants.
2. Submit form **YYY**, "Retired/Former DSS Law Enforcement Officer LEOSA Photographic Identification Card Application," and all required supporting documentation to DS_Credentials_Office@state.gov.

In order to request a LEOSA photographic identification card, a qualified law enforcement officer who is about to retire or resign from DSS must:

1. Submit form **YYY**, "Retired/Former DSS Law Enforcement Officer LEOSA Photographic Identification Card Application," and all required supporting documentation to DS_Credentials_Office@state.gov.

Questions

For LEOSA photographic identification card questions, please contact
DS_Credentials_Office@state.gov.